

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No
AVI-025CIPTotal Pages in this Submission
16813142 US PTO
032604**COMMISSIONER FOR PATENTS**
Box Patent Application
Washington, D.C. 2023117510 U.S. P.O.
10/811136

032604

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled: PRODUCTION OF A TRANSGENIC AVIAN BY CYTOPLASMIC INJECTION

and invented by: Jeffrey C. Rapp, Leandro Christman, Alex J. Harvey and Markley C. Leavitt

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

[] Continuation [] Divisional [x] Continuation-in-part (CIP) of prior application No.: To be assigned
Filed March 7, 2004

Enclosed are **Application Elements**:

- [x] Filing Fee
- [x] Specification having 75 page(s) and including the following:
 - [x] Title of the Invention
 - [x] Cross References to Related Applications
 - [x] Background of the Invention
 - [x] Brief Summary of the Invention
 - [x] Description of the Drawings
 - [x] Detailed Description
 - [x] Claim(s) as Classified Below
 - [x] Abstract of the Disclosure
- [] 42 Sheets of Drawings(s) (37 CFR 113) [x] Formal [] Informal
- [] Oath or Declaration [] Executed [] Unexecuted
 - [] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- [] Power of Attorney [] Executed [] Unexecuted
 - [] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- [] Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- [] Computer Program in Microfiche (*Appendix*)

Accompanying Application Parts

- [] Assignment Papers (cover sheets & documents(s))
- [] The prior application is assigned of record _____
 - [] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- [] 37 CFR 3.73(B) Statement (*when there is an assignee*)
- [] English Translation Document (*if applicable*)

Docket No.

- | | |
|---|---|
| <input type="checkbox"/> Information Disclosure Statement/PTO-1449 | <input type="checkbox"/> Copies of _ IDS Cited Reference(s) |
| <input type="checkbox"/> Preliminary Amendment | |
| <input checked="" type="checkbox"/> CRF and paper copy of sequence listing | |
| <input checked="" type="checkbox"/> Acknowledgment postcard | |
| <input type="checkbox"/> Verified Statement(s) to Establish Small Entity Status Under 37 CFR 1.9 and 1.27 | |
| <input type="checkbox"/> Copy from prior application (37 CFR 1.63(d)) (<i>for continuation/divisional application only</i>) | |
| <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) (<i>if foreign priority is claimed</i>) | |
| <input type="checkbox"/> Associate Power of Attorney | |

Fee Calculation and Transmittal

* *The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.*

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	65	- 20 =	45	X \$9.00	405.00
Independent Claims	5	- 3 =	2	X \$43.00	86.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
					BASIC FEE \$ 385.00
OTHER FEE (specify purpose)					\$ 0.00
(Applicant has small entity status under 37 CFR 1.9 and 1.27)					SMALL ENTITY STATUS Yes
					TOTAL FILING FEE 876.00

- A check in the amount of \$ _____ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and/or credit Deposit Account Number as described below.
 - Charge the amount of \$ 876.00 as filing fee.
 - Credit any overpayment.
 - Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Please direct all future correspondence to the undersigned at the address given below.

Respectfully submitted,

KYLE YESLAND
Attorney for Applicants
Reg. No: 45,526
Avigenics, Inc.
Legal Dept.
111 Riverbend Rd
Athens, Georgia 30606
Telephone: 706-227-1170

DEPOSIT ACCOUNT NUMBER – 501729

DOCKET NO.: AVI-025CIP

THE ENCLOSED PATENT APPLICATION OF RAPP ET AL IS BEING
FILED IN ACCORDANCE WITH SECTION 37 CFR 1.10 BY EXPRESS
MAIL AND SHOULD BE ACCORDED A FILING DATE OF:

MARCH 26, 2004

SEE THE EXPRESS MAIL CERTIFICATE ATTACHED TO THE APPLICATION.

AVI-025CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

RAPP ET AL)	Group Art Unit: N/A
)	
Serial No. N/A)	Examiner: N/A
)	
Dated: Submitted herewith)	Box: NEW APPLICATION
)	
For: PRODUCTION OF A TRANSGENIC)	
AVIAN BY CYTOPLASMIC)	
INJECTION)	

Express Mail Mailing Label No. EV 118877944 US

Date of Deposit: March 26, 2004

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Box New App, Washington, D.C. 20231:

1. Transmittal Letter;
2. Statement verifying sequence listing;
3. New Application;
4. Drawings - 42 pages of 24 Formal Drawings
5. CRF and paper copies of sequence listing; and
6. Return post card.

The 6 above-identified documents are enclosed herewith.

Respectfully submitted,



Kyle D. Yesland, 706-227-1170
Attorney for Applicants
Reg. No. 45,526
Avigenics, Inc.
111 Riverbend Rd.
Legal Department
Athens, Georgia 30606